

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JOHNSON & JOHNSON
HEALTH CARE SYSTEMS INC.,

Plaintiff,
v.

SAVE ON SP, LLC,
Defendant.

Civil Action No.: 22-2632(ES)(CLW)

AFFIDAVIT

AFFIDAVIT OF FREDA L. WOLFSON PURSUANT TO FED. R. CIV. P. 53

I, Freda L. Wolfson, hereby declare and state as follows:

1. I am an attorney of the State of New Jersey, and a Partner at Lowenstein Sandler LLP (“Lowenstein Firm”) since February 1, 2023. I was the former Chief Judge of the United States District Court for the District of New Jersey, having retired on January 31, 2023.
2. I respectfully submit this Affidavit in support of my pending appointment as Special Master in the above-captioned matter, pursuant to Fed. R. Civ. P. 53.
3. In November 2023, Hon. Cathy L. Waldor, U.S.M.J., informed me that the Court was considering appointing me to serve as a Special Master.
4. Thereafter, I reviewed the pleadings and checked the Lowenstein Firm’s conflict system to determine whether there was any conflict that would require disclosure to the Court and the parties, or that would otherwise preclude me from serving as a Special Master under 28 U.S.C. § 455.

5. The Lowenstein Firm's sophisticated conflict system revealed no party to this particular case is represented by the Lowenstein Firm, nor have I ever been associated with any of the named parties to the case.

6. Rather, the Lowenstein Firm represents Johnson & Johnson, an affiliate of Plaintiff Johnson & Johnson Healthcare System Inc., and other non-related entities associated with Johnson & Johnson. I have had no involvement with any of those matters since joining the Firm less than a year ago. In that regard, the attorneys have indicated that their clients have agreed to waive any potential conflicts as to those representations, and in addition, the Lowenstein Firm will be placing an ethical wall between me and those matters.

7. Moreover, I also disclosed to the parties that I served as a mock judge for Kenvue, another affiliate of Johnson & Johnson, in an unrelated matter, and that engagement has concluded. The attorneys, and their clients, have also waived any potential conflict arising from this engagement.

6. As recognized by the parties, I am confident that none of these relationships would preclude me from being impartial or unbiased as the Special Master in the above-captioned matter.

Dated: December 8, 2023

/s/ Freda L. Wolfson
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